

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

TIMOTHY J. JAMES,
Plaintiff,

v.

CASE NO. 06-3044-SAC

ROY DUNNAWAY,
SHERIFF, et al.,
Defendants.

O R D E R

On August 8, 2006, this court entered a Memorandum and Order requiring plaintiff to show cause why this action should not be dismissed for failure to exhaust administrative remedies and for failure to state a claim of denial of access. The time for filing a response to that order has expired, and no response has been filed. Mail transmitted to plaintiff has been returned indicating he has moved. Plaintiff has failed to notify the court of his change of address. The court finds plaintiff has not filed a timely response. The court concludes this action must be dismissed for the reasons stated in its Memorandum and Order dated August 8, 2006. Plaintiff remains obligated to pay the remainder of the filing fee in this action.

IT IS THEREFORE ORDERED that this action is dismissed, without prejudice, and all relief denied.

IT IS SO ORDERED.

Dated this 11th day of September, 2006, at Topeka, Kansas.

s/Sam A. Crow
U. S. Senior District Judge